

UNITED STATES OF AMERICA

v.

Melinda J. Reynolds

Name

on file

Street Address

on file

City

FILED 10 FEB 10 14:20 USDC-ORP

10-CR-016-HA

Court Number

2009R00390

U.S. Attorney's File No.

AGREEMENT FOR PRETRIAL DIVERSION

You are reported to have committed an offense against the United States on or about September 19, 2006, in violation of Title 18, United States Code, Section 2113(b) in that you did take and carry away with intent to steal or purloin \$1000 of money belonging to and in the care, custody, control, management and possession of Citi Mortgage. You accept responsibility for your behavior by your signature on this Agreement. After investigation of the offense, and your background, your interest and the interest of justice will be served by the following procedure; therefore

On the authority of the Attorney General of the United States, by Dwight C. Holton, United States Attorney for the District of Oregon, prosecution in this District for this offense shall be deferred to the period of twelve (12) months from the date this Agreement is signed and entered by the court, provided you abide by the following conditions and requirements of this Agreement set out below.

Should you violate the conditions of this Agreement, the United States Attorney may revoke or modify any conditions of the pretrial diversion program or change the period of supervision, which shall in no case exceed eighteen months. The United States Attorney may at any time within the period of your supervision initiate prosecution for this offense should you violate the conditions of this Agreement. You have no right to a hearing or appeal from the decision of the United States Attorney.

After successfully completing your diversion program and fulfilling all the terms and conditions of this Agreement, no prosecution for the offense set out on page 1 of this Agreement will be instituted in this District, and the charges against you will be dismissed.

Neither this Agreement nor any other document filed with the United States Attorney as a result of your participation in the Pretrial Diversion Program will be used against you, except for impeachment purposes, in connection with any prosecution for the above-described offense.

Conditions of Pretrial Diversion

1. You shall not violate any law (federal, state and local). You shall immediately contact your pretrial diversion supervisor if arrested and/or questioned by any law enforcement officer.
2. You shall find/maintain gainful full-time employment, approved schooling or a full-time combination of both.
3. You shall continue to live in this judicial district. If you intend to move out of the district, you shall obtain approval from your pretrial diversion supervisor so that the appropriate transfer of program responsibility can be made.
4. You shall follow the program and conditions described below in number 5.
5. Special Program:
 - a) You shall report to Pretrial Services as directed;
 - b) You shall not open any new financial accounts or lines of credit without the prior approval of Pretrial Services; and,
 - c) You shall pay restitution in the amount of \$1,000.00 at the rate of at least \$55.00/month. **Restitution payments shall be submitted through the Clerk's Office at the Federal Courthouse located at 1000 SW Third Ave, 7th Floor, Portland, Oregon 97204. Checks shall be made payable to: Clerk's, U.S. District Court, and on the check you should reference case number CR-10-16-HA. The Clerk's Office will record all payments for our files and process the payments for forwarding to Citi Mortgage.**

Acknowledgment

I understand and agree that the decision as to whether or not I am in violation of the terms of the Agreement is solely that of the United States Attorney in consultation with the U. S. Pretrial Services Office.

I understand the Sixth Amendment to the Constitution of the United States provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial. I hereby request that the United States Attorney for the District of Oregon defer any prosecution of me for violation of the offenses listed on page 1 of this Agreement for the period of twelve (12) months, and I agree that any delay from the date of this Agreement to the date of the initiation of the prosecution, as provided for in the terms expressed herein, shall be deemed to be a necessary delay at my request and I waive any defense to such prosecution on the ground that such delay operated to deny my rights under Rule 48(b) of the Federal Rules of Criminal Procedure and the Sixth Amendment to the Constitution of the United States to a speedy trial or to bar the prosecution by reason of the running of the statute of limitations for a period of twelve (12) months, which is the period of this Agreement.

I understand that, in the event this agreement is successfully completed and the charge is dismissed, I will not seek attorneys fees, and will not assert that such a dismissal makes me a prevailing party, under Title 18, United States Code, Section 3006A.

I also knowingly waive any right which may exist under a "Pretrial Diversion Operations Agreement" in this District to file any motion requesting expungement of my arrest or other criminal record in connection with this pretrial diversion matter.

I understand the conditions of my pretrial diversion and agree that I will comply with them.

2.05.10
Date

Melinda J. Reynolds
MELINDA J. REYNOLDS
Name of Divertee

2.05-10
Date

Ronald Hoevet
RONALD HOEVET
Defense Counsel

2/1/10
Date

Scott Asphaug
SCOTT ASPHAUG
Assistant United States Attorney

2/9/10
Date

Kimberly Kaiser
KIMBERLY KAISER
U.S. Pretrial Services Officer

APPROVED:

2-10-10
Date

Ancer L. Haggerty
HONORABLE ANCER L. HAGGERTY
United States District Judge